



PATENT

ATTORNEY'S DOCKET NO.: M0015/7000P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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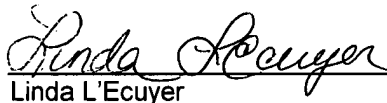
APR 17 2002

TC 1700

Applicant: George H. Clark et al.
Serial No.: 10/004,149
Filed: October 31, 2001
For: CARBONATED FORTIFIED MILK-BASED BEVERAGE AND
METHOD FOR SUPPRESSING BACTERIAL FORMATION IN THE
BEVERAGE
Examiner: Not Assigned
Art Unit: 1761

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with 3first-class postage attached, addressed to Commissioner for Patents, Washington, DC 20231 on April 10, 2002.


Linda L'Ecuyer

Commissioner for Patents
Washington, DC 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

Compliance with 37 C.F.R. §1.97

This information disclosure statement is being filed before the mailing date of a first office action on the merits. No fee or certification is required.

Information Cited

The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references.

Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

By submitting this information disclosure statement, the applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

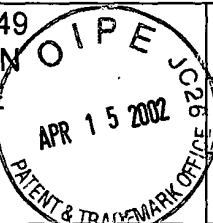
Respectfully submitted,



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Docket No.: M0015/7000P1

Date: April 10, 2002

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| Form PTO-1449 INFORMATION DISCLOSURE STATEMENT |  | Docket No.: M0015/7001P1 | Serial No. 010/004,149 |
| | | Applicant: George H. Clark et al. | |
| Filed: October 31, 2001 | | Group: 1761 | |

U.S. Patent Documents

| Ex. | Doc. No. | Date | Name | Class | Subcl. | Filed |
|-----|-----------|----------|----------------------------|-------|--------|-------|
| | 4,212,893 | 07/15/80 | Jungo Takahata | | | |
| | 4,264,638 | 04/28/81 | Robert T. Sirett et al. | | | |
| | 4,446,164 | 05/01/84 | Brog | | | |
| | 4,460,616 | 07/17/84 | Jean P. Rialland et al. | | | |
| | 4,737,375 | 04/12/88 | Gunther M. Nakel et al. | | | |
| | 4,738,856 | 04/19/88 | George H. Clark | | | |
| | 4,738,865 | 04/19/88 | Morris | | | |
| | 4,804,552 | 02/14/89 | Salah H. Ahmed | | | |
| | 4,842,884 | 06/27/89 | George N. Bookwalter et al | | | |
| | 4,919,960 | 04/24/90 | Salah H. Ahmed et al. | | | |
| | 4,980,182 | 12/25/90 | Steven S. Kwon et al. | | | |
| | 5,200,226 | 04/06/93 | Sanchez Rodriguez | | | |
| | 5,202,145 | 04/13/93 | John R. Wisler et al. | | | |
| | 5,366,751 | 11/22/94 | William T. Pordy | | | |
| | 5,413,803 | 05/09/95 | Chai-Won Chung | | | |
| | 5,436,020 | 07/25/95 | Tamptsu Kuwata | | | |
| | 5,607,714 | 03/04/97 | Philip Connolly | | | |
| | 5,624,700 | 04/29/97 | Lynn V. Ogden | | | |
| | 5,648,112 | 07/15/97 | David Kee Yang et al. | | | |
| | 5,665,415 | 09/09/97 | Alan E. Kligerman | | | |
| | 5,817,351 | 10/06/98 | N. T. DeWille et al. | | | |
| | 5,834,045 | 11/10/98 | Kim R. Keating | | | |

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TC 1700

FOREIGN PATENT DOCUMENTS

| Ex. | Doc. No. | Date | Name | Class | Subcl. |
|-----|----------|------|------|-------|--------|
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OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)

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|--|---|
| | U.S. application Serial No. 09/660,048 filed September 12, 2000; Inventors: George H. Clark, Mary Ann Clark; Title: NEW AMINO ACID CHELATES FOR THE EFFECTIVE SUPPLEMENTATION OF CALCIUM, MAGNESIUM AND POTASSIUM IN THE HUMAN DIET |
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| Examiner: | Date considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. An * indicates references that do not require a copy to be provided under 37 C.F.R. §1.98(d) because a copy was previously cited or submitted in a prior application, which is relied upon under 35 U.S.C. §120. | |

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